IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.10155 of 2004

Between:

Thota Subrahmanyam,

S/o. Subbarayudu,

Aged 49 years, L.D.Clerk,
Junior Civil Judge's Court,

Prathipadu,

East Godavari District.

..... PETITIONER

AND

1 The Hon'ble High Court of A.P. Hyderabad,

rep. by its Registrar (Adm.)

2 The Hon'ble District Judge,

East Godavari District at Rajahmundry.

3 The Hon'ble District Judge,

Kadapa District, Kadapa.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction, more particularly one in the nature of Writ of Mandamus, calling for the records, relating to the Notification Roc.No. 2812/2002-C.1(13) dated 7-11-2002 and as well as the Proceedings ROC No. 2812/2002-C1/3 dated 1-4-2003 from the file of the Registrar (Admn) (R-1) and after perusing the same quash the said orders by declaring them as arbitrary, discriminatory and illegal and consequently direct the first respondent to issue orders of the transfer of the petitioner to the unit of the District Court, Kadapa in the light of the reports dt. 24-03-2003 and 30-4-2003 of the Hon'ble District Judge, Kadapa and with all other consequential benefits, monetary and other wise.

Counsel for the Petitioner : Sri V.JAGAPATHI

Counsel for the Respondents : Smt. M.Bhaskara Lakshmi

The Court made the following :

ORDER: (Per Hon'ble the Chief Justice)

We have heard learned counsel for the parties and also gone through the affidavit making allegations against the Administrative Officers of the District Court at Kadapa. We do not find it a fit case for interference in a matter of transfer. The entire

petition is based upon the allegations against the said Administrative Officers without there being any material on record to that effect. Allegations of mala fides cannot be entertained in the absence of persons on record against whom allegations of mala fides are made.

Writ Petition is therefore dismissed.

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DEVINDER GUPTA, C.J.

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C.V.RAMULU, J

24-08-2004

bsc

To

1 The Registrar (Adm.)

The Hon'ble High Court of A.P.

Hyderabad,

2 The Hon'ble District Judge,

East Godavari District at Rajahmundry.

3 The Hon'ble District Judge,

Kadapa District,

Kadapa.

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